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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,339	01/04/2005	Peter Albert Cirkel	NL02 0620 US	2598

24738 7590 08/30/2007  
PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
INTELLECTUAL PROPERTY & STANDARDS  
370 W. TRIMBLE ROAD MS 91/MG  
SAN JOSE, CA 95131

EXAMINER
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BRIGGS, NATHANAE L R

ART UNIT	PAPER NUMBER
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2871

MAIL DATE	DELIVERY MODE
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08/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	Application No. 10/520,339	Applicant(s) CIRKEL ET AL.	
	Examiner Nathanael R. Briggs	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 8-10, 12, 13, 18, 21 and 24 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-5, 8-10, 12, 13, 18, 21 and 24 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 20 June 2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-5, 8-10, 12-13, 18, 21, and 24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-5, 8-10, 12-13, 18, 21, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiji et al. (US 6,580,482).**

5. Regarding claim 1, Hiji discloses a reflective display (see figures 1 and 3, for instance) comprising: a first liquid crystal cell (51), said first liquid crystal cell (51)

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comprising a plurality of first pixel elements (22) configured to produce images, said first pixel elements (22) being controllable between a non-reflective state, in which electromagnetic radiation having a first polarization is reflected to a first extent, and a reflective state, in which said electromagnetic radiation having a first polarization is reflected to a second extent (column 11, lines 2-16), said second extent being greater than said first extent, wherein the first liquid crystal cell is further configured for reflecting electromagnetic radiation of the first polarization in the shape of a first image in a first direction; and a second liquid crystal cell (53), superimposed on the first liquid crystal cell (51), said second liquid crystal cell (53) comprising a plurality of second pixel elements (24) configured to produce images, said second pixel elements being controllable between a non-reflective state, in which electromagnetic radiation having a second polarization is reflected to a third extent, and a reflective state, in which said electromagnetic radiation having a second polarization is reflected to a fourth extent (column 11, lines 2-16), said fourth extent being greater than said third extent, wherein the second liquid crystal cell is further configured for reflecting electromagnetic radiation of the second polarization in the shape of a second image in a second direction, the first image being different from the second image (blue vs. green), and the first direction being different from the second direction (different helix-senses; ie, right-handed vs. left-handed), further characterized in that said first (51) and second (53) liquid crystal cells are configured so that said first polarization (left-handed) is different from said second polarization (right-handed). Claim 1 is therefore unpatentable.

6. Regarding claim 2, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), wherein the electromagnetic radiation has a wavelength of between 300 nm and 800 nm (red, green, blue; column 7, lines 36-38). Claim 2 is therefore unpatentable.

7. Regarding claim 3, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), wherein said first polarization and said second polarization are circular polarizations of opposite handedness (left-handed, right-handed). Claim 3 is therefore unpatentable.

8. Regarding claim 4, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), wherein said first (51) and second (53) liquid crystal cells are configured so that said first polarization (left-handed) is different from said second polarization (right-handed) via a polarization-altering element (45) arranged between said first (51) and second (53) liquid crystal cells. Claim 4 is therefore unpatentable.

9. Regarding claim 5, Hiji discloses an apparatus according to claim 4 (see figures 1 and 3, for instance), wherein said polarization-altering element (45) is a halfwave plate (column 13, line 16). Claim 5 is therefore unpatentable.

10. Regarding claim 8, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), further wherein said first (51) and second (53) liquid crystal cells are arranged to transmit the first and the second image, respectively, to a first and a second eye of an observer. Claim 8 is therefore unpatentable.

11. Regarding claim 9, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), said first (51) and second (53) liquid crystal cells, wherein said

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first and second electromagnetic radiation have different wavelengths (green, blue).

Claim 9 is therefore unpatentable.

12. Regarding claim 10, Hiji discloses an apparatus according to claim 1 (see figures 1 and 3, for instance), said first (51) and second (53) liquid crystal cells, wherein at least one of said first (51) and second (53) cells is at least partially made of cholesteric texture liquid crystal (column 11, lines 2-16). Claim 10 is therefore unpatentable.

13. Regarding claim 12, Hiji discloses a portable device comprising a reflective display according to claim 1 (see figure 1). Claim 12 is therefore unpatentable.

14. Regarding claim 13, Hiji discloses a portable device according to claim 12 (see figures 1 and 3, for instance), wherein said device is one of a mobile telephone, a portable computer, an electronic calendar, an electronic book, a television set or a video game control. Claim 13 is therefore unpatentable.

15. Regarding claim 18, Hiji discloses a method of providing two different images in a reflective display according to claim 1 (see figures 1 and 3, for instance), wherein said method further comprises the steps of: providing at least two separate filter elements (43, 45), (i) a first of said two filter elements (43) being capable of transmitting electromagnetic radiation having said first polarization and not transmitting electromagnetic radiation having said second polarization, and (ii) a second of said two filter elements (45) being capable of transmitting electromagnetic radiation having said second polarization and not transmitting electromagnetic radiation having said first polarization, arranging the first filter element (43) between the reflective display and an intended receiver of the first image, produced by the first pixel elements (26), wherein

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the intended receiver of the first image perceives only the first image, and arranging the second filter element (45) between the reflective display and an intended receiver of the second image, produced by the second pixel elements (24), wherein the intended receiver of the second image perceives only the second image. Claim 18 is therefore unpatentable.

16. Regarding claim 21, Hiji discloses a method according to claim 18 (see figures 1 and 3, for instance), wherein the first (43) and second (45) filter elements are arranged in front of the left and the right eye, respectively, of an observer. Claim 21 is therefore unpatentable.

17. Regarding claim 24, Hiji discloses a method according to claim 18 (see figures 1 and 3, for instance), wherein said first and second images are perspective views creating a 3D sensation when observed. Claim 24 is therefore unpatentable.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathanael R. Briggs whose telephone number is (571) 272-8992. The examiner can normally be reached on 9 AM - 5:30 PM Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nathanael Briggs  
8/22/2007

  
ANDREW SCHECHTER  
PATENT EXAMINER